

Report of the Chief Executive

APPLICATION NUMBER:	24/00656/FUL
LOCATION:	33 Muriel Road, Beeston, NG9 2HH
PROPOSAL:	Construct two-storey side and rear extension

Councillor S J Carr has requested that the application is determined by the Committee.

1. Purpose of the Report

1.1 The application seeks planning permission to construct a two-storey side and rear extension.

2. Recommendation

The Committee is asked to RESOLVE that planning permission be granted subject to conditions outlined in the appendix.

3. Detail

3.1 The application seeks planning permission for a two storey side and rear extension. The dwelling is a two storey detached dwelling, with a garage adjoined on the side (west) elevation which is also adjoined to an existing single storey rear (south-west) extension. There is a sizeable garden to the rear (south-west) of the existing dwelling, whilst the adjacent road, Muriel Road, is located north of the application site.

3.2 The main issues relate to whether or not the principle of development is acceptable, whether the design and appearance of the proposal is acceptable and whether the impact upon the amenity and access (highway safety) of the adjacent neighbouring properties is acceptable.

3.3 The benefit of the proposal is that it would provide enhanced living accommodation for the occupiers. The negative impact of the proposal is that there would be a reduction in rear garden amenity space.

The Committee is asked to resolve that planning consent be granted subject to the conditions outlined in the **Appendix**.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows:

The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers

Nil.

Appendix

1. Details of Application

1.1 The application seeks planning permission to construct a two storey side and rear extension to the side (west) and rear (south-west) elevations of the existing dwelling creating an enlarged kitchen and dining room, garage and a new toilet room on the ground floor, with three new bedrooms, two en-suites and a bathroom on the first floor.

2. Location and Site Characteristics

2.1 The application site consists of a two storey detached dwelling, constructed using facing brick on the ground floor of the dwelling, with render used on the first floor of the dwelling, with tiles used on the roof of the existing dwelling. There is an existing garage adjoined on the side (west) elevation which is also adjoined to an existing single storey rear (south-west) extension. There is a sizeable garden to the rear (south-west) of the existing dwelling, whilst the adjacent road, Muriel Road, is located north of the application site.

2.2 The proposed two storey side extension would be located adjacent to neighbouring property 35 Muriel Road, located north-west of the application site. The proposed two storey rear extension would be located adjacent to neighbouring property 31 Muriel Road, located south-east of the application site. 64 Abbey Road would also be located adjacent to the proposed two storey side and rear extension, with the neighbouring property located west of the application site. The application site is located within the Coal Referral Area. The application site is located within the Beeston Article 4 Area.

3. Relevant Planning History

3.1

Planning		
23/00380/FUL	Construct two-storey side and rear extensions	PERC
24/00173/FUL	Construct two-storey rear and single-storey side extension	PERC

4. Development Plan Policy

4.1 National Planning Policy

National Planning Policy Framework 2023

- 4.1.1
 - Section 2 - Achieving sustainable development
 - Section 4 - Decision-making
 - Section 12 - Achieving well designed places

4.2 Local Planning Policies

4.2.1 **Part 1 Broxtowe Aligned Core Strategy 2014: and Part 2 Local Plan 2019:**

- Part 1 Policy 10 - Design and Enhancing Local Identity
- Part 2 Policy 17 - Place-making, Design and Amenity

5. Consultee and Third Party Comments

5.1 Consultees

- No comments from technical consultees are required for this application.
- **Cllr S J Carr - Beeston North Ward** – The application is far too large for the existing property. If minded to approve this application, I would like it called in to committee.
- **Cllr B C Carr - Beeston North Ward** – No comments received.

5.2 Neighbours

- Eight neighbours were consulted on the application, with one response received. The response received objected to the development proposal. The objection received raised the following concerns:
- Concern the proposed development will be used as a House in Multiple Occupation (HMO) and the proposed noise and disturbance this could cause.

6. Evaluation

The main issue relates to whether the principle of the proposed two storey side and rear extension is acceptable. Considerations in regard to design, neighbour amenity and the impact upon access (highway safety) impact will also be assessed as part of the report.

6.1 Principle and Policy

Policy 10 of the Aligned Core Strategy states that development will be assessed in terms of massing, scale and proportion, materials and the impact on the amenity of nearby residents or occupiers. Policy 17 of the Part 2 Local Plan 2019 states that extensions should be of a size, siting and design that makes a positive contribution to the character and appearance of the area and does not dominate the existing building or appear over-prominent in the street scene.

It is considered the principle of development is acceptable, with matters in relation to design, amenity and access to be addressed below.

6.2 Design

- 6.2.1 Firstly, it must be noted there was a similar development to construct a two storey side and rear extension (ref: 23/00380/FUL) which was granted conditional planning permission on 23 June 2023, therefore, it is considered the principle of the development is acceptable. The proposed two storey rear extension extended out from the existing rear wall of the dwelling by 3.6m and the proposed two storey side extension had a length of 9.4m in previous application (ref: 23/00380/FUL). In this new revised application (ref: 24/00656/FUL), the proposed two storey rear extension extends out from the existing rear wall of the dwelling by 4.3m and the proposed two storey side extension will have a length of 10.0m.
- 6.2.2 The proposed roof of the two storey side and rear extension will include a flat roof area between the two storey side extension and the two storey rear extension, which has been included in order to simplify the roof form which was approved as part of previous planning application (ref: 23/00380/FUL). In addition to this, the ridge height of the proposed two storey side extension has been reduced to 7.5m as part of the new application (ref: 24.00656/FUL), whilst in the previous application (ref: 23/00380/FUL) the two storey side extension had a ridge height of 8.1m.
- 6.2.3 In accordance with the policies stated above, it is considered the massing, scale, height and design of the proposed two storey side extension within the current scheme is acceptable. This is because the proposed two storey side extension will be subservient in height to the ridge height of the existing dwelling and will also be set back from the front (north-east) elevation of the existing dwelling. In addition to this, the proposed two storey side extension will extend out to the same width of the existing garage to the side (west) elevation of the dwelling. Therefore, it is considered the proposed two storey side extension is unlikely to dominate the existing dwelling or appear over-prominent in the adjacent street scene.
- 6.2.4 In accordance with the policies stated above, it is considered the massing, scale, height and design of the proposed two storey rear extension is acceptable. This is because the proposed two storey rear extension will extend out from the rear (south-west) elevation of the dwelling by 4.2m, whilst the existing single storey rear extension extends out from the rear elevation of the dwelling by approximately 2.6m. Therefore, it is considered the principle of development on the rear (south-west) elevation of the dwelling would not be out character and the increased length to 4.2m is not considered to be a significant addition to the existing dwelling. It is noted the proposed two storey rear extension will have a matching ridge height with the existing dwelling. This is considered to be acceptable due to the proposed length of the two storey rear extension being 4.2m, which is not considered to be dominating addition to the existing dwelling. Furthermore, the position of the two storey rear extension to the rear (south-west) of the existing dwelling means a significant impact upon the adjacent street scene of Muriel Road is unlikely to occur.
- 6.2.5 The proposed two storey rear extension would be adjoined to the proposed two storey side extension through a flat roof section in the middle area of the two adjoining extensions. This is considered to be acceptable as the flat roof area will

be largely screened by the proposed ridge height of the two storey side and rear extensions, meaning it is considered unlikely to make a significant impact upon the character of the existing dwelling and the adjacent street scene. The proposed two storey side and rear extension will be constructed using reclaimed red facing brickwork at ground floor level to match the existing imperial bricks used on the ground floor of the existing dwelling. The proposed two storey side and rear extension will be constructed using white smooth through render first floor level above the brick render stop, which will match the render used at first floor level on the existing dwelling. The proposed roof of the two storey side and rear extension will be constructed using tiles to match the existing dwelling. Therefore, it is considered the proposed materials to be used for the two storey side and rear extension are acceptable as they will match with the existing dwelling. To conclude, the proposed development is considered to reflect an acceptable level of design.

6.3 Neighbour Amenity

- 6.3.1 Policy 10 of the Aligned Core Strategy (2014) states that impact on the amenity of nearby residents or occupiers will be a consideration. Policy 17 of the Part 2 Local Plan (2019) states that any development should not cause an unacceptable loss of amenity for the occupiers of neighbouring properties.
- 6.3.2 There was one response received in respect of the proposed development. The response received objected to the development proposal, with the concerns raised noted above in the neighbour section of the report.
- 6.3.3 Firstly, it is considered the proposed two storey side and rear extension is unlikely to cause a significant impact upon the amenity of adjacent neighbouring property 31 Muriel Road, located south-east of the application site. This is because there are no openings in the proposed side (south-east) elevation of the two storey side and rear extension, hence it is considered overlooking and loss of privacy are unlikely to occur to 31 Muriel Road. It is considered a significant sense of enclosure and loss of light is unlikely to occur to 31 Muriel Road. This is because the proposed two storey side and rear extension will extend out from the existing rear elevation of the dwelling by 4.3m, which is not considered to be an overbearing addition. Furthermore, the proposed two storey side and rear extension will be set away from the shared boundary with 31 Muriel Road, whilst the dwelling of 31 Muriel Road is also set away from the shared boundary, hence further reducing the likelihood of a significant sense of enclosure and loss of light occurring. Therefore, it is considered a significant loss of amenity is unlikely to occur to 31 Muriel Road, located south-east of the application site, for the reasons outlined above.
- 6.3.4 It is considered the proposed two storey side and rear extension is unlikely to cause a significant impact upon the amenity of adjacent neighbouring property 35 Muriel Road, located north-west of the application site. There are two new openings proposed in the side (north-west) elevation which will face towards 35 Muriel Road, a new door at ground floor level and a new window at first floor level. It is considered the new door is unlikely to cause overlooking and loss of privacy due to the existing boundary treatment and separation distance between the proposed door and adjacent neighbouring property 35 Muriel Road. The proposed first floor

window is unlikely to cause overlooking and loss of privacy to 35 Muriel Road as the first floor window will be obscurely glazed. It is considered a significant sense of enclosure and loss of light is unlikely to occur to 35 Muriel Road. This is because the proposed two storey side and rear extension will be set away from the shared boundary with 35 Muriel Road, whilst the dwelling of 35 Muriel Road is also set away from the shared boundary, hence reducing the likelihood of a significant sense of enclosure and loss of light occurring. Therefore, it is considered a significant loss of amenity is unlikely to occur to 35 Muriel Road, located north-west of the application site, for the reasons outlined above.

6.3.5 It is considered the proposed two storey side and rear extension is unlikely to cause a significant impact upon the amenity of adjacent neighbouring property 64 Abbey Road, located west of the application site. This is because it is considered there is a significant separation distance between the proposed development and adjacent neighbouring property 64 Abbey Road, meaning a significant impact upon the amenity of 64 Abbey Road is unlikely to occur.

6.3.6 It is considered the proposed two storey side and rear extension is unlikely to cause a significant impact upon the amenity of any of the remaining adjacent neighbouring properties. This is because of the considerable separation distances between the proposed development and the remaining adjacent neighbouring properties, meaning a significant impact upon their amenity is unlikely to occur.

6.4 Access (Highway Safety)

6.4.1 Policy 17 of the Broxtowe Local Plan Part 2 (2019) states that development (including fences, walls and other structures) should not cause risk to pedestrians or road users by reducing visibility for drivers when entering or exiting the driveway. It is considered due to the location of the proposed extension to the side and rear of the existing dwelling and set away from the adjacent road, Muriel Road, an impact in terms of reduced visibility is unlikely to occur.

6.4.2 It has been stated on the Proposed Block Plan (1:500) (Revision: B - amended 23/09/24) there will be three car parking spaces, including the garage, which will be available on completion of the proposed two storey side and rear extension. It is considered this will be an acceptable amount of car parking spaces available onsite for the proposed development, which is considered unlikely to result in a significant impact upon the highway safety of the adjacent neighbouring properties.

6.4.3 To conclude, it is considered the proposed two storey side and rear extension is acceptable in terms of access (highway safety) impact for the reasons outlined above.

6.5 Other Matters

6.5.1 A concern was raised in regard to the proposed two storey side and rear extension facilitating a change of use of the dwellinghouse into a House in Multiple Occupation (HMO) and the potential noise and disturbance created by this change of use. It is considered this concern has minimal planning weight in regards to the

context of this planning application as this is a householder application and not a full planning application for a change of use. Nevertheless, it is noted as the application site is located within the Beeston Article 4 Area a full planning application for a change of use into a HMO with three bedrooms upwards would be required, should the property be occupied in this way.

7. Planning Balance

7.1 The benefit of the proposal is that it would provide enhanced living accommodation for the occupiers. The proposal is considered to reflect an acceptable level of design for the reasons outlined above. The proposal is considered unlikely to have a significant impact upon the amenity and highway safety of the adjacent neighbouring properties for the reasons outlined above. The negative impact of the proposal is that there would be a reduction in rear garden amenity space for the occupiers.

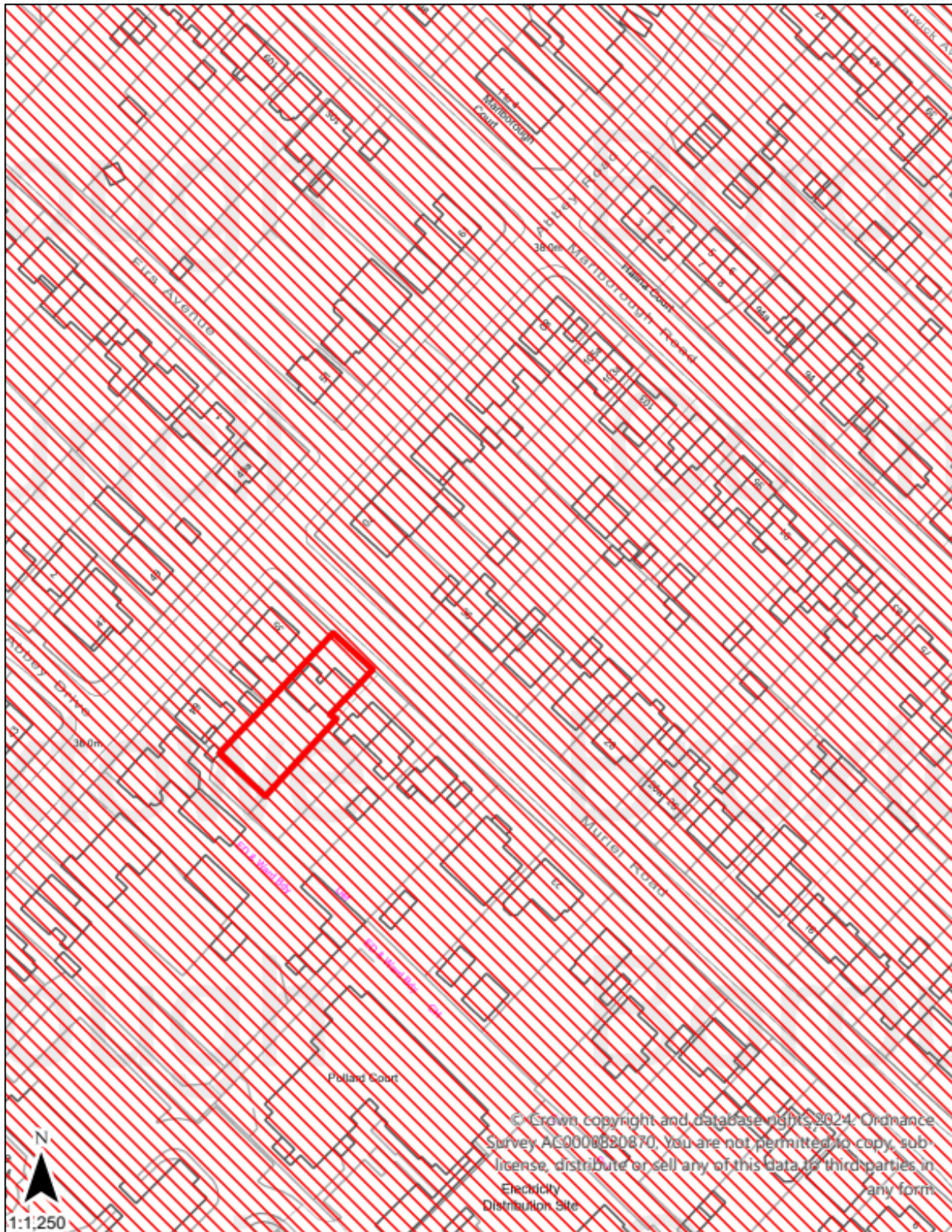
7.2 Taking all of the above into account, it is considered on balance, the proposal is acceptable and conditional planning permission should be granted.


8. Conclusion

8.1 It is concluded that, having regard to the relevant policies of the Local Plan, national planning guidance and to all other material considerations including the Public Sector Equality Duty and comments raised in the representations received, the development is acceptable and that there are no circumstances which otherwise would justify the refusal of permission.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions:	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
2.	The development hereby permitted shall be carried out in accordance with the plans Received by the Local Planning Authority on 1 October 2024: <ul style="list-style-type: none"> • Site Location Plan (1:1250) (Drawing Number: 23/1100/01) • Proposed Block Plan (1:500) (Revision: B - amended 23/09/24) • Proposed Floor Plans, Roof Plan and Elevations (1:100) (Drawing Number: 23/1100/02, Revision: G) Reason: For the avoidance of doubt.

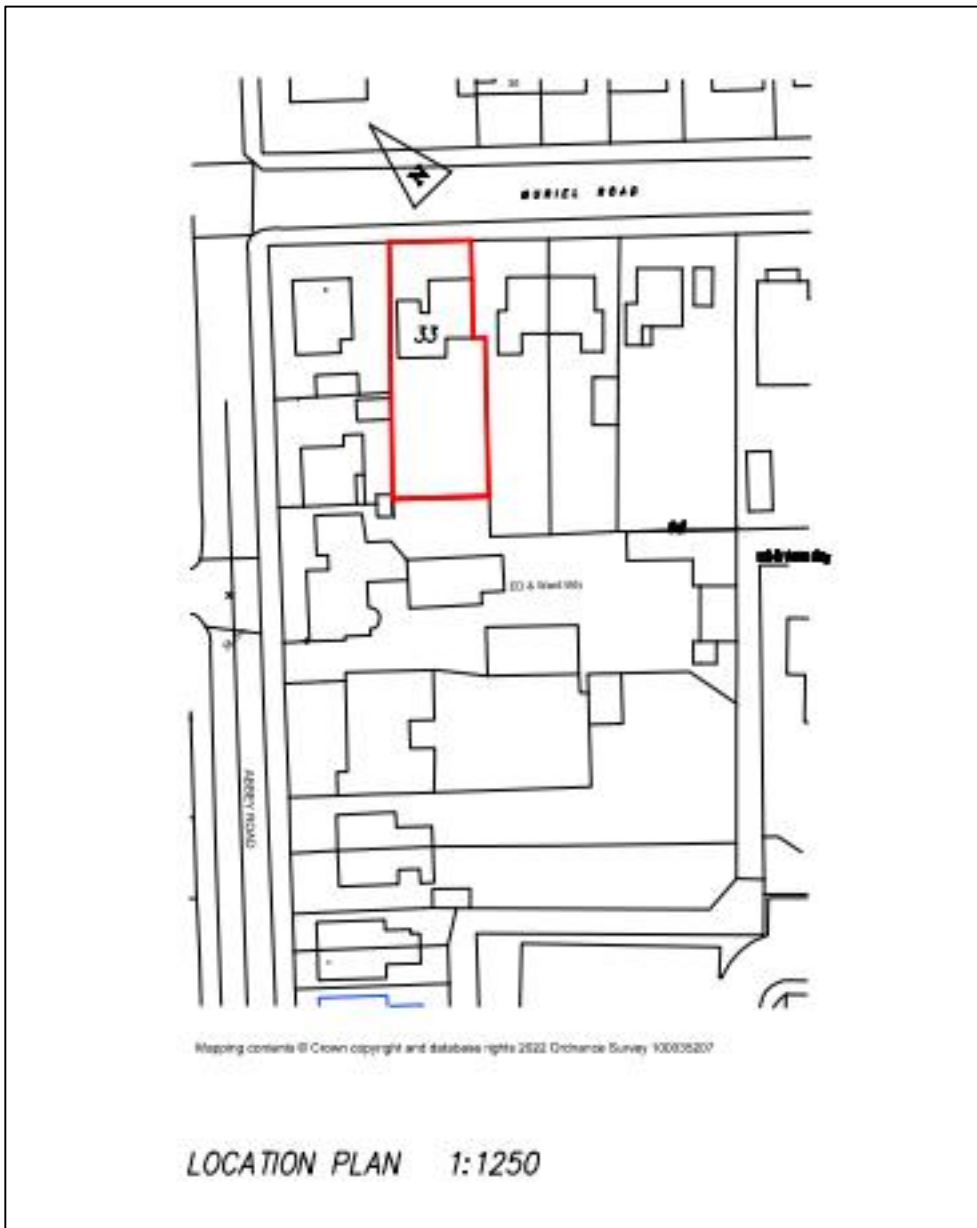
<p>3.</p>	<p>The two storey side and rear extension shall be constructed using materials as noted on the Proposed Floor Plans, Roof Plan and Elevations (1:100) (Drawing Number: 23/1100/02, Revision: G) received by the Local Planning Authority on 1 October 2024.</p> <p>Reason: To ensure a satisfactory standard of external appearance and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).</p>
	<p>NOTES TO APPLICANT</p>
<p>1.</p>	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
<p>2.</p>	<p>The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.</p> <p>Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries</p> <p>Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.</p> <p>If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p>



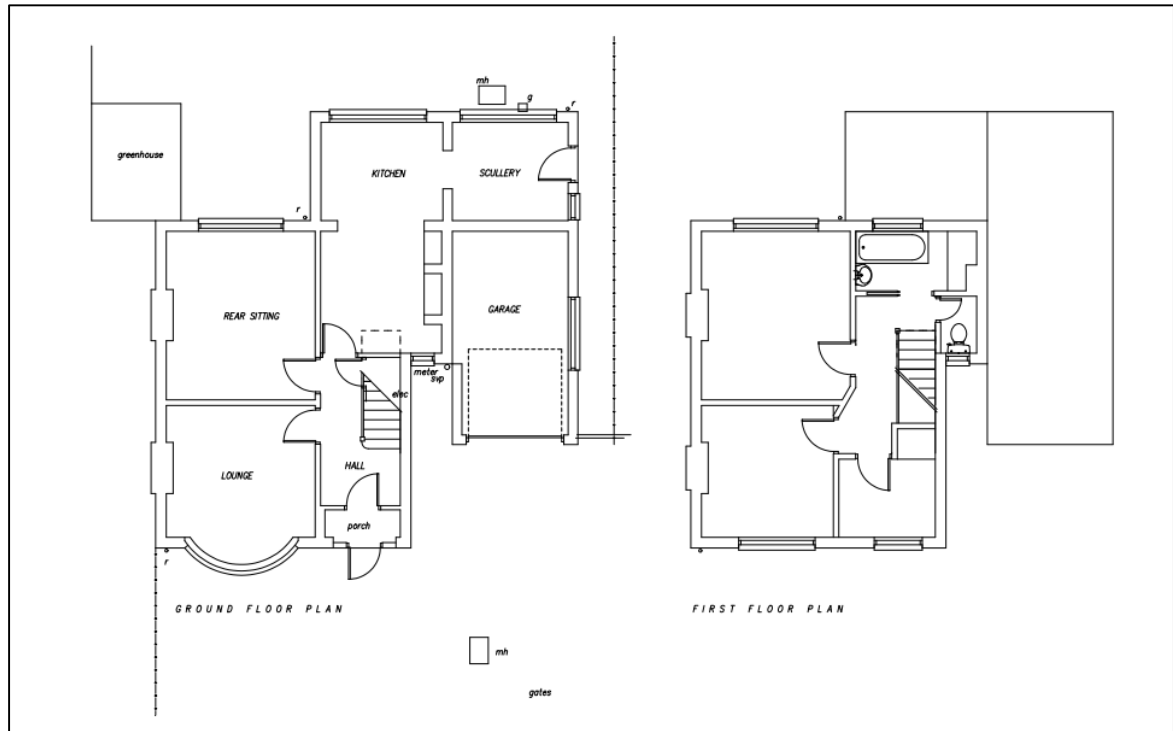
- Legend**
-  Article 4 Direction
 -  Site

Plans (Not to Scale)

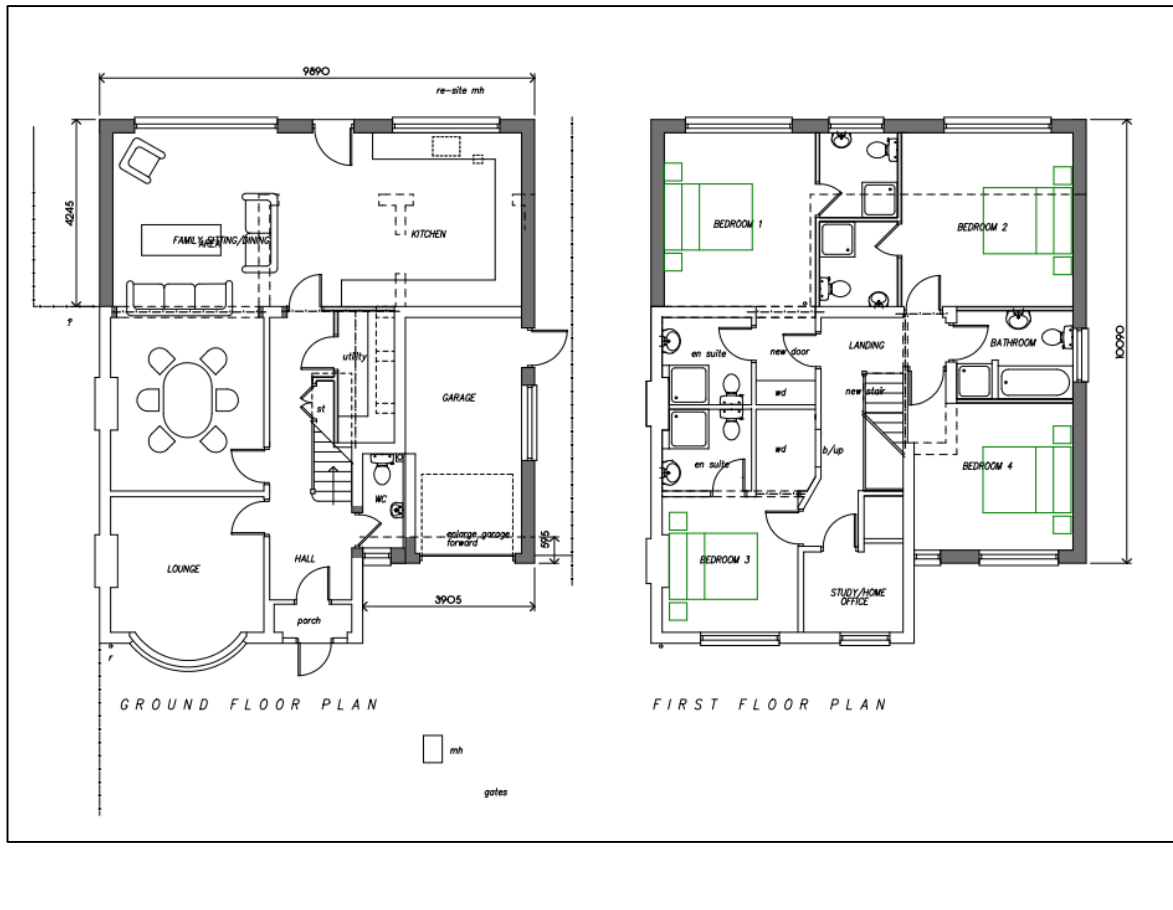
Site Location Plan



Existing Ground Floor and First Floor Plans



Proposed Ground Floor and First Floor Plans



Existing Front Elevation



Proposed Front Elevation

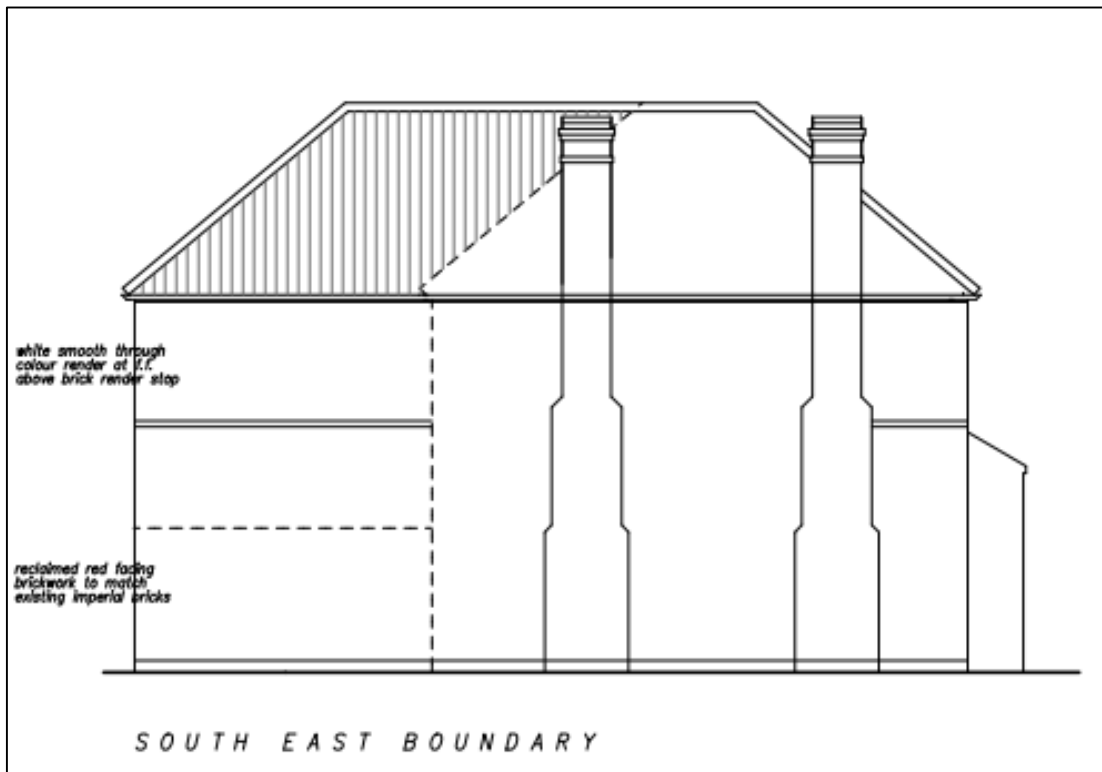
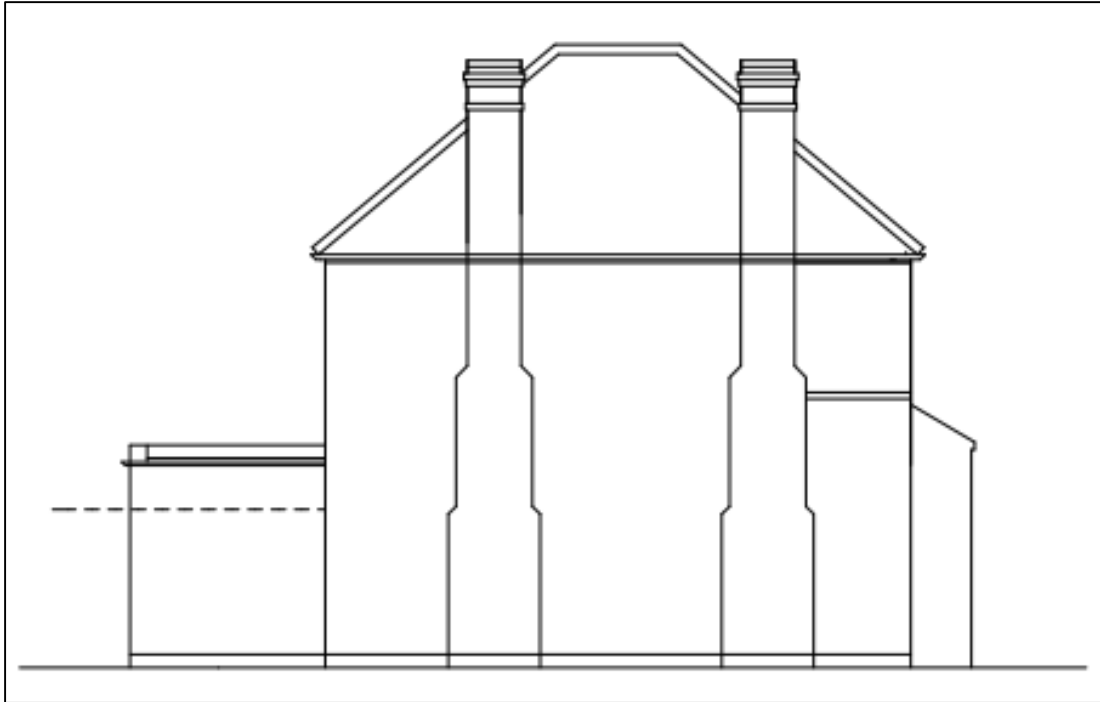


Existing Side (North-West) Elevation



Proposed Side (North-West) Elevation

Existing Side (South-East) Elevation

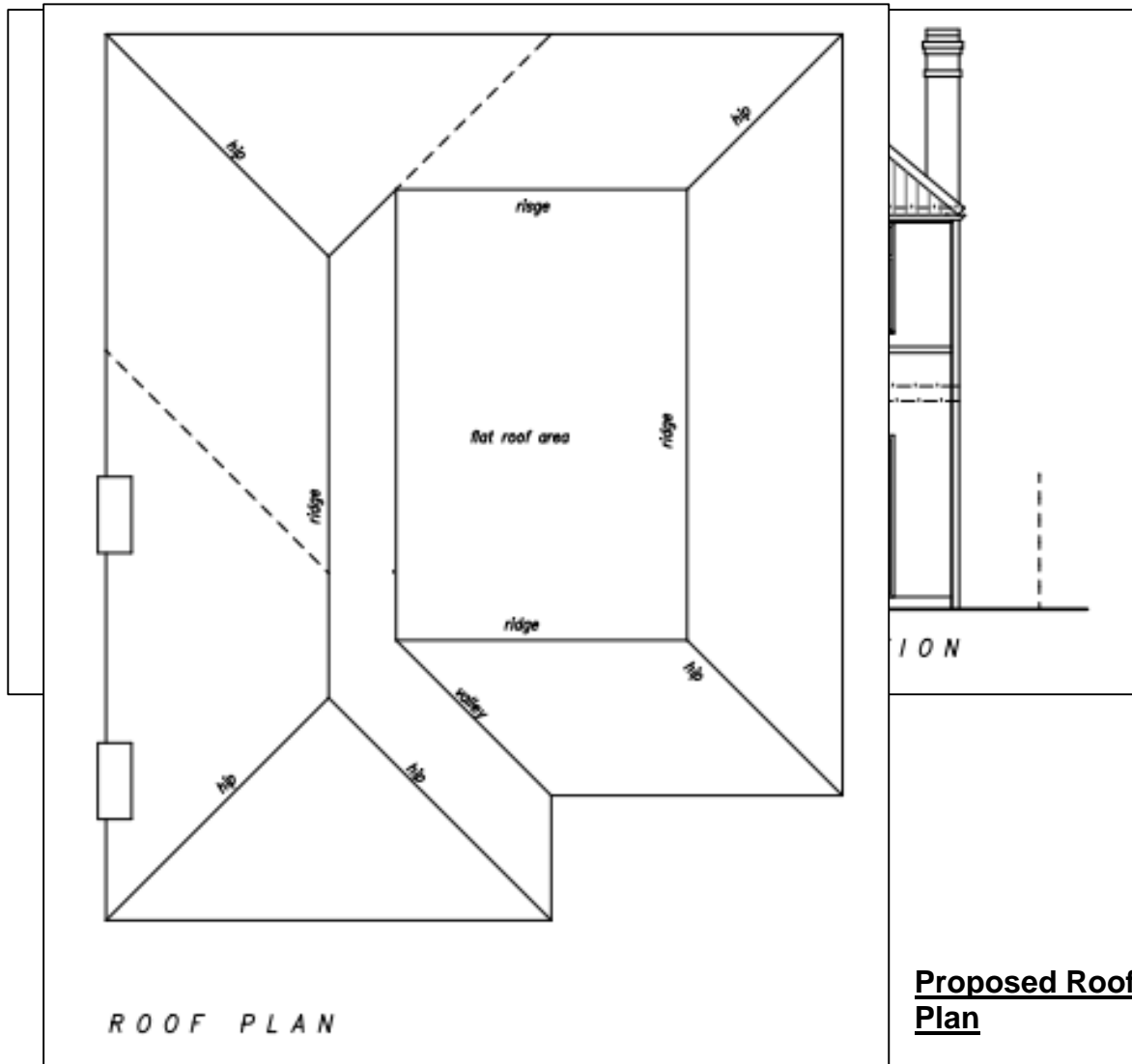


Proposed Side (South-East) Elevation

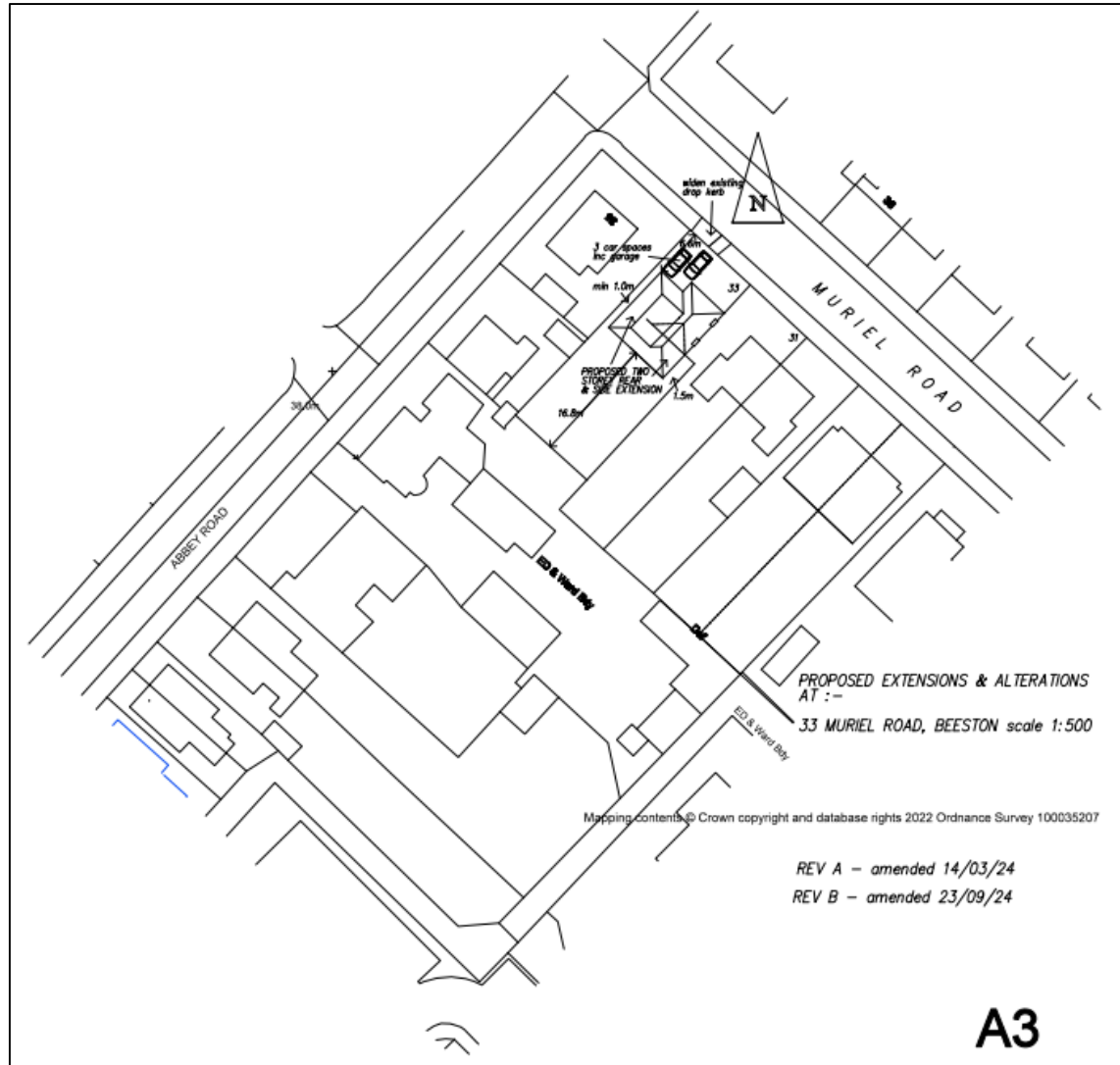


Existing Rear Elevation

Proposed Rear Elevation



Proposed Roof Plan



Proposed Block Plan